

The Ohio Statesman

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S. M. FETTERGILL & CO.,

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Rates.

Constitutional Provisions.

Although some people now regard the provisions of the Constitution of the United States and the State of Ohio, as of but little moment, indeed of no account whatever, we are of the opinion that the great body of the people think these documents still in force, still the supreme law, and, therefore, to be upheld by all good citizens, and, protected and defended by all good citizens.

The following among other provisions are to be found in the U. S. Constitution:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

"A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

"No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

In the State Constitution we find the following among other provisions:

"The people have the right to assemble together in a peaceable manner to consult for their common good, to instruct their representatives, and to petition the General Assembly for the redress of grievances."

"The people have the right to bear arms for their defense and security; but standing armies in time of peace are dangerous to liberty, and shall not be kept up; and the military shall be in strict subordination to the civil power."

"The right of trial by jury shall be inviolate."

"Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech or of the press."

"No person shall be transported out of the State for any offense committed within the same, and no conviction shall work corruption of blood or forfeiture of estate."

"No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; in time of war, except in the manner prescribed by law."

"The right of the people to be secure in their persons, houses, papers, and possessions, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons or things to be seized."

We might add to these clauses others from both Constitutions of grave importance, but the peculiarity of the times renders these of especial importance at the present. Before the President can enter upon the duties of his office, he must take an oath of affirmation, prescribed in the instrument, "TO PRESERVE, PROTECT and DEFEND THE CONSTITUTION OF THE UNITED STATES."

And before the Governor of Ohio can enter upon the duties of his office, he must, as provided by the Constitution of this State, "TAKE AN OATH OF AFFIRMATION, TO SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THIS STATE, AND ALSO TO ENJOY AND DEFEND THE LIBERTY AND INDEPENDENCE OF THE SAME."

And every man in Ohio holding a civil office must do the same thing.

Congress has conferred Despotism Power not on the Government but on the President.

In speaking of the all but absolute power conferred upon President LINCOLN by recent acts of Congress over the rights, property, liberty and lives of American citizens, we notice it frequently said that this power is conferred upon the General Government, or that the Central Government has been authorized to do this or that specific thing, as for instance, to organize a national militia subject at any moment to the call of the President, to control the money-market, the value of all property, and all the bank currency of the country, and to suspend the writ of habeas corpus at any time and in any place.

The impression is sought to be conveyed that these powers are lodged in the National Government, which every well informed American schoolboy knows consists of three departments, the Executive (President and Cabinet); the Judicial (U. S. Judges), and the Legislative (Congress); the members of each of these three departments being solemnly sworn before entering upon their respective offices, to support the Constitution of the United States, the supreme law of the land. The three departments we have named constitute the Government as long as they obey the Constitution and do not transcend the powers therein granted; but the moment they or either of them cease to obey that instrument which expresses the sovereign will of the people, or to usurp powers not granted therein—that moment and to that extent, they cease, or the department so offending ceases to execute the functions of Government, and is so far in no sense the Government or a department of the Government.

The idea is conveyed—in fact the proposition is distinctly stated in respectable journals—that Congress has clothed the Government with extraordinary powers on account of the present emergency. The statement to an intelligent American is a simple absurdity. Congress, a branch of the Government, can no more confer additional powers upon that Government or any department thereof than a State Legislature can. The Constitution confers in truth no powers upon the Government as a distinct entity or thing. It does not, strictly speaking, recognize the existence of any such great overshadowing power—so much talked of in these days of political gibberish and nonsense—as the Government. It simply vests in a Congress, in a President, and in one Supreme and other inferior Courts, certain well defined and limited powers. Some of these powers the Constitution permits to be dormant, or rather they cannot be exercised until Congress shall by constitutional acts call them into exercise.

Congress at its last session conferred no power upon what is called the General or Central Government—first, because the Constitution recognizes no such subject of legislation; and secondly, because the Congress must be regarded as a constitutional part of that Government, and to confer power upon the Government would be to legislate power into its own hands, which is manifestly absurd.

It is, therefore, whether designedly or not, misleading the public to say that Congress by its recent legislation enlarged the powers of the General Government. It did no such thing.

It attempted to change to some extent the course of judicial proceedings; but the dictatorial and almost absolute imperial powers granted, it gave or attempted to give to a functionary whom the Constitution styles not the Government, but "the President of the United States," in whom it vests the executive power, and specially charges under oath, to the best of his ability, "to preserve, protect and defend the Constitution of the United States."

Tax Senate on Monday rejected the nomination of J. B. E. Toon, of Decatur, the President's brother-in-law, as Brigadier-General.

Adjournment of the Indiana Legislature.

The Indiana Legislature adjourned on Monday evening. It cannot meet again unless called together in extra session by Gov. Morton.

The appropriation bills for carrying on the State Government and the State Institutions, etc., were not passed—the Abolition secessionists refusing to recede from their revolutionary position and return to their duty and their seats in the House. The people of Indiana will "repeal" these rebels against the Constitution and the constitutional authority of their State for all time to come. And their conduct will be reprobated by every honest and patriotic man.

OWN CHARLES BURY, a discharged 2d Lieutenant in the 19th U. S. Infantry, has been arrested at Harrisburg, Pa., and sent to the Old Capitol prison at Washington, charged with having drawn pay from ten different paymasters for the same period of service. Ten or eleven hundred dollars per month is not bad pay for a second lieutenant.

MISS EMILY FIDERS, a Jewess, who died lately in Vienna, bequeathed fifteen thousand florins to the Jewish poor in that city, the same sum to the Catholic poor, and ten thousand florins to the poor of the Protestant faith.

GENERAL BANKS has ordered that black soldiers shall be treated as the equals of white ones. An exchange thinks, and not without reason, that the next step will be to subordinate the white soldiers to the black ones. The Abolitionists seem to regard the army as the proper place to begin to carry out their ideas of negro equality and negro superiority.

MAJOR GENERAL CURTIS, in command in Missouri, has been superseded by Major General SUMNER. The department embraces Missouri, Arkansas, New Mexico, Colorado and Nebraska.

THE OHIO LEGISLATURE.

In the SENATE, on Tuesday, March 10th, petitions were presented by Messrs. Eggleston, McVeigh, Coates, Miles, Gardner and Sprague, which were referred. Sundry bills were read the second time and committed. Senate bill, To amend the 2d and 3d sections of the Tax law of April 30, 1862, was passed. Mr. Sinner introduced a bill, which was read the first time. For the relief of discharged Ohio soldiers. House joint resolution was adopted, which provides for furnishing military and sanitary information to our soldiers in the field.

Senate bill, making appropriations for the payment of interest and principal of the public debt, was passed; also Senate bill, To amend the Miami University acts.

The Senate spent the whole afternoon in committee of the Whole in the consideration and discussion of Mr. Sinner's bill, from the committee on Military Affairs, To organize and discipline the militia of Ohio.

The Senate adjourned.

In the HOUSE, after a bare quorum was drummed up, petitions were presented by Messrs. Babcock, Keyser of Noble, McClellan, Olds, Howard and Stiers, which were referred. Sundry bills were read the second time and committed. The following bills were introduced and read the first time: By Mr. McClellan—Relative to authorizing a free bridge over the Big Miami river at Ball's ferry; by Mr. Keyser of Noble—To create a separate school district in the township of Enon, Noble county; by Mr. Converse—To cede certain lands in Franklin county to the United States for an Arsenal and exempting them from taxation; by Mr. Dressel—To repeal the law incorporating School District No. 11, in Pleasant and Jackson townships, Franklin county; by Mr. Griswold—To amend the law to provide for the organization of cities and incorporated villages so as to give them power to control the manufacturing, etc., of Petroleum, Naphtha and Rock Oil; by Mr. High, from the committee on Common Schools—To amend the Cleveland School law so as to require the Board of Education of that city to provide separate schools for colored children.

The House adopted the following substitute, offered by Mr. Flagg, for the resolution of the committee on Federal Relations:

Resolved, By the General Assembly of the State of Ohio, That we will have no armistice with the Union—that we will have no armistice—that we can fight as long as rebels and traitors can—that the war shall go on until law is restored and we will never despair of the Republic.

House bill, For the relief of Elizabeth Entz, whose husband was a "Squirrel Hunter," and was killed during the Cincinnati campaign, was referred to Mr. Winans as a select committee of one—all after the enacting clause having first been stricken out.

The House adjourned.

General Stoughton's Capture.

A Washington special of March 9th, to the Cincinnati Gazette, says:

The capture of Gen. Stoughton resulting in the capture of himself and officers last night at Fairfax Court House is strongly censured by everybody here. Gen. Stoughton graduated at West Point. He is the youngest General in the service, being but twenty-one years of age. He has heretofore enjoyed the reputation of being a fine officer. Before his promotion he was Colonel of the 24th Vermont regiment.

Another dispatch to the same paper says:

The party which captured Gen. Stoughton were guided by the proprietor of the house in which he had his headquarters. The rebel surprise was evidently fully planned before it was carried into execution. No intelligence has been received here that the rebels captured any other officer save Gen. Stoughton.

From Indianapolis.

INDIANAPOLIS, March 7.

There was no quorum in the House to-day. But one Republican, Mr. Kilgore, was in his seat.

Mr. Niblack, from the committee of Ways and Means, introduced the general and specific appropriation bills. The yeas and nays being called on a suspension of the rules for the second reading, only fifty-three members answered to their names.

The House adjourned until Monday at 9 o'clock A. M., the last day, by constitutional limit, of the session. Nothing further will be done. The secessionists, the revolutionists, the abolitionists, who are seeking to precipitate war, will not come back. They have been at Madison on the Ohio river, for the past ten days, provided with Government muskets and ammunition to resist the Sergeant-at-Arms and his posse, if he should be sent after them. The Democrats were too temperate in the present inflated state of the public mind to adopt any such measure, although justified by the Constitution and the laws.

It has been ascertained beyond all contradiction that at Lebanon, Boone county, 60 stand of Government arms, and ammunition in sufficient quantities, have been lodged in the hands of Republicans, who almost nightly meet secretly. In Lafayette 300 stand of ammunition are reported. At a little Abolition hole

called Medaryville, in Palauki county, muskets and ammunition are distributed.

At a court martial held at the Spencer House, in this city, a witness, a soldier, testified of his positive knowledge of secret political Republican organizations, and of arms, gunpowder and ball being furnished them. What will be the state of things in Indiana shortly no man can predict.

The secession act has brought over the German and Irish population solidly to the Democratic party. Democrats are firm, working for peace, State and national.

FROM DETROIT.

(Special Dispatch to the Chicago Times.)

DETROIT, Mich., March 7.

The most intense excitement has prevailed in the city to-day over the late bloody riot, and crowds of rioters have been parading the streets, only kept in subjection by the large military force here.

The negro Faulkner was sent to the State Prison at Jackson by a special train before daylight this morning, and no attempt to lynch him was made.

A telegram has been received in the city from Chatham, C. W., stating that the niggers at that place are greatly excited over the riot in Detroit, and are arming themselves to come here to help the authorities take care of the city. There are no signs of the arrival of this crowd as yet visible.

The whole State of Michigan is in a ferment to learn the latest news, the report having gone abroad that half the city had been consumed.

A public meeting was held at the Court House this afternoon, at which resolutions were passed.

No further demonstrations have occurred thus far, but the mob rows vengeance against the negroes, and threaten to clean them out. They say that the negroes are ahead so far, as more white men than Africans have been killed.

The loss of property falls heaviest on whites, who also will have to suffer punishment for the crimes committed by both parties. The negroes are very much frightened, and have mostly fled to Canada, but declare that they will come back in a few days.

Fifty supposed rioters were arrested to-day, but, on examination, were discharged.

Thirty-two houses were destroyed, and two hundred people rendered homeless. The city is virtually under martial law, as much as Memphis or Nashville, and no citizen dare go out after dark without being armed. Troops with loaded muskets and fixed bayonets patrol the streets, and it is rumored that a battery of steel horse artillery is at Fort Wayne stands ready to come to the city at a moment's notice.

A brick bat has been going on to-day in pistol, bowie-knives and dirks.

It is believed that there will be another terrific riot in a few days, as a soldier, sympathizing with the citizens, declared that they did not come here to hurt a hair of a white man's head; but, if the niggers don't keep cool, they will kill.

The volunteers cannot be depended upon, but the regulars are trustworthy.

A large police force has been created to-day.

The Meeting at Columbus.

We call especial attention to the account taken from the Columbus Statesman of this gathering of the people to vindicate their rights and protect the public press. In these times, it may not be long before Republican nullifiers will throw every citizen back upon the original right of self-defense. If the laws become unoperative to secure people their inalienable rights, other measures may be adopted, and in that event, let the licentious anarchists who precipitate the storm look out for their own security. Let these human males learn that mobs are "Two edged swords," and Democrats are resolved not to be the only sufferers—Cleveland Plain Dealer.

A special dispatch to the Chicago Times from St. Louis, under date of March 7th, says:

George J. Jones, periodical dealer, was arrested to-day for selling the Columbus Crisis and other anti-slavery papers, and sent to the Myrtle street Prison. His store was closed by the Provost Guard.

[From the Albany (N. Y.) Argus and Atlas, 6th.]

Democratic Thunder all round the Sky—City and Town Elections—The Democratic Reaction in the Interior.

BUFFALO, March 5, 1863.

All the towns in Erie county heard from, but one. The Democrats elect fourteen Supervisors, and the Republicans ten—a Democratic gain of five from last year.

Dunkirk has elected the entire Democratic ticket by handsome majorities.

SULLYVILLE.

CHITTENANGO, Madison Co., March 4, 1863.

"COPPERHEAD" VICTORY IN SULLYVILLE. "BROTHER" CLEANED OUT.—At the annual town meeting held yesterday, and a hard-fought contest, the "traitor" majority in this town figures up, on the whole, an average majority of 275, a gain of 317 votes since last spring! The only reason for this change is the supposed one of the danger of Congress holding over, and the people presuming that they would pass a law that white men had no right to be taxed by niggers, and being the last time, they all voted. Bully for Sullivan!

WATERFORD, March 4, 1863.

Town meeting yesterday re-elected David T. Lamb, Democratic Supervisor, without opposition. The rest of the Democratic ticket elected by an average majority of 290. The vote was a full one for the spring election, and the day passed without excitement.

B.

WARREN COUNTY—GLENN'S FALLS DEMOCRATIC.

GLENN'S FALLS, March 4, 1863.

GENTLEMEN—Our charter election was held yesterday. A hard-fought and glorious victory was the result. The entire Democratic ticket for village officers was elected by an average majority of 40. "Copperheads" stuck in rising and "leatherheads" falling. Please put Glenn's Falls in the Democratic column.

Yours.

ESSEX, NEW YORK, March 3, 1863.

Our town meeting came off to-day, and for the first time in a quarter of a century, the whole Democratic ticket was elected by an average majority of 25. John Haskins (Democrat) was elected over Harrison Noble (Republican) and the wealthiest man in Northern New York, over 50 majority. The time are ominous, and even old Republican Essex county may yet wheel into the Democratic line.

Yours truly,

RENSSELAER COUNTY.

In the city of Troy, the Democrats elect seven of the ten Supervisors, and they carry ten or eleven of the towns.

COLUMBIA COUNTY.

Last year the Board of Supervisors was a tie—ten Democrats and ten Republicans. Now we have thirteen Democrats and seven Republicans. We gain four towns, and lose one; while the popular vote of the county from last fall has increased in favor of Democracy nearly fifty per cent.

WASHINGTON COUNTY.

WHITEHALL, N. Y., March 4, 1863.

GENTLEMEN—At our town meeting held yesterday, the entire Democratic ticket was elected. Mr. Samuel Benjamin, the Supervisor elect, had the largest majority (over five hundred) that has been given any Supervisor at Whitehall for the last thirty years. Black Republicanism is nearly played out in the Second Assembly District of old Washington county. Respectfully,

SCHROFFEL, OSWEGO COUNTY.

PHOENIX, March 3, 1863.

COLUMBIANA. I send you a statement of our political condition as compared with a few years ago. In 1856 Fremont's majority in the town of Schroffpel, Oswego county, was 256; in 1860 Lincoln's majority was 177; in 1862 Wadsworth's majority was 33. To-day we elected Edmund Merry, Democratic Supervisor, by 109 majority, together with the election of the entire Democratic ticket. Although the voters from the pulp last Sabbath, that every Republican must vote the mile ticket if it were the devil that was his nominee, and we

had these Ministers who voted the Republican ticket to-day, and two of them stood at the polls and fed their numerous Abolition tickets—they were rejected. We, in this town, glory in the triumph of our glorious principles, to wit: The Constitution and the Union as it was.

Yours, most respectfully,

ONEIDA COUNTY—GREAT DEMOCRATIC GAIN.

The county of Oneida, so long under the control of mock Republicanism, has elected once more a Democratic majority on the popular of from 600 to 700.

PARAGUO COUNTY DEMOCRATIC.

SARATOGA SPRINGS, March 4, 1863.

This is a great day in Israel. Congress is dead (by virtue of the statutes of limitation), while the Democrats send greeting to the defunct officials. In this town Hon. J. C. Crane (Dem.) is elected Supervisor by 78 majority; last year the town was 33 against us. We have gained a Supervisor at Saratoga Springs, Milton, Corinth and Malta, and I hope, Charleston. Last year the Board of Supervisors stood 13 Republicans to 7 Democrats; this year, please call it reversed. Glory enough for one day.

STILLWATER, March 3.

The result of the town meeting here is the election of the whole Democratic ticket, by majorities much larger than those of last spring.

Henry W. Arnold, our present Supervisor, whose majority in 1862 was 50, is now re-elected by 121 majority; all the rest of the ticket will average about 110 or 115. That upon the Collector, being the lowest, was 92. This is a gain of more than 50 upon the result of the State election in November last.

SURGEON-GENERAL HAMMOND has directed, says a Washington dispatch, that all sick and wounded soldiers who have been sick for three months and upward and are in a fit state to bear transportation shall be immediately transferred to the general hospitals nearest home. This will be welcome news both to the sick and to their friends.

THE OLD VERMONT COUGH REMEDY.

N. H. Down's Balsamic Elixir is warranted for Coughs, Colds, and all diseases of the Throat, Chest and Lungs. This standard article has been used in New England and New York with universal success for over thirty years. Eastern people will be very glad to find it in Ohio. For sale by G. Roberts and Druggists in Columbus. D. S. Barnes, 302 Broadway, N. Y., and John F. Henry & Co., Waterbury, Vt., General Agents.

A COLD, COUGH, OR AN IRRITATED THROAT if allowed to progress, results in serious Pulmonary and Bronchial affections, oftentimes incurable.

BROWN'S BRONCHIAL TROCHES reach directly the affected parts and give almost instant relief. In BRONCHITIS, ASTHMA, and Croup, they are beneficial. The good effects resulting from the use of the Troches, and their extended use, has caused them to be counterfeited. Be sure to guard against worthless imitations. Obtain only the genuine Brown's Bronchial Troches which have proven their efficacy by a test of many years. PRACTICE DEALERS and SUNDRIES who over-tax the voice and are exposed to sudden changes, should have them. Sold everywhere at 25 cents per box.

At his residence in this city, March 9, 1863, of typhoid fever, CHARLES H. Goss, aged 45 years and 6 months.

The funeral services will take place at the Congressional Church, on Thursday afternoon at 2 o'clock. The friends and acquaintances of the family are respectfully invited to attend.

FUNERAL NOTICE.

The funeral of CHARLES NOWELL will take place to-day (Wednesday) at 1 o'clock P. M., from the residence of Robert Nowell, corner of Mount and Seventh streets.

Friends and acquaintances are respectfully invited to attend.

NEW ADVERTISEMENTS.

FOR SALE.

A BEAUTIFUL LOT FOR A COUNTRY RESIDENCE, on the National Road, half a mile east of the City of Columbus. Said lot contains 24 acres, and is well wooded with fruit trees and shrubbery. There is a good sized Frame Cottage on the premises, with 9 rooms, two good wells of water and Cisterns—also a good stable and all other necessary out-houses in good repair. I will sell low for cash.

M. G. LILLY, No. 30 North High Street.

Country Produce Commission House.

THE OLD FIRM OF Miller & Carpenter, No. 8 Erie Buildings, New York, (300 Washington Street).

STILL receive and sell Flour, Grain, Butter, Lard, Cheese, Eggs, Potatoes, Beans, Peas, Dried Fruit, Fowl, Game, etc.

Cash advanced on shipments, and prompt returns made of sales. Send for our Price Current list.

Barnes—President of the Irving Bank, N. Y. City, President of N. Y. & E. Railway Co.; Gould & Elliot, Warsaw, N. Y.; D. Baldwin, Mt. Vernon, Ohio; E. O. Grosvenor, Esq., Worcester, Mass.

WADSWORTH HOUSE, ADJOINING N. Y. CENTRAL, LAKE SHORE, AND RAILROAD DEPOTS, BUFFALO, N. Y.

The Most Convenient House in the City.

THE Wadsworth House has recently been painted, frescoed and refurnished throughout, and is now one of the best appointed Houses in the State. Its proximity to the principal Railroad Depots renders it particularly desirable to travelers as a stopping place, while none of the old premises which has existed adjacent to the depot has been so completely renovated and refurnished as this. Rooms are attached to the depot, and the personal supervision of the House, entering the depot. Look on the right-hand side! Go on running on the arrival of the train. Twenty minutes allowed in changing baggage; a good Restaurant is attached to the House, and at the end of the depot. Accommodations for three hundred guests.

Wm. B. Bradbury's Piano-Forte Establishment, NO. 427 BROADWAY, NEW YORK.

His friends and the public generally to his Piano-Forte Establishment, at No. 427 Broadway Street.

Having withdrawn his interest, stock and materials from the late firm of "Lilley & Bradbury," which firm was dissolved on the 31st January ult., and having purchased the entire stock of Piano-Fortes and Piano-Forte Materials, owned by his brother, Edward G. Bradbury, in the said firm, he is now prepared to supply the increased demand for his celebrated Piano-Fortes. Employing the most skilled and experienced workmen, and using a large stock of the best and most thoroughly seasoned material, and an abundance of Capital, he has taken in hand the personal supervision of the House, entering the depot. Look on the right-hand side! Go on running on the arrival of the train. Twenty minutes allowed in changing baggage; a good Restaurant is attached to the House, and at the end of the depot. Accommodations for three hundred guests.

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